

PATENT
Attorney Docket No. P70948US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Confirmation No. 1455
Gitte Juel FRIIS et al.)
Serial No.: 10/560,181) Art Unit: 1619
Filed: December 9, 2005) Examiner: Shanon A. Foley
For: **WOUND CARE DEVICE**) May 20, 2011

RESPONSE TO OFFICE ACTION

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants acknowledge receipt of the Office Action mailed February 23, 2011 in connection with the above-identified application. Reconsideration and withdrawal of the outstanding rejection are respectfully requested.

Applicants note that the previously imposed prior art rejections over Cleary, et al. (USPgPub 2003/0170308) have been withdrawn.

The Examiner has now rejected claims 1, 3, 5-7, 19-20, 27-28, 30, 32-37, and 39 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Qvist, USPgPub 2007/0009583 ("Qvist") in view of Zhang, et al., USPgPub 2005/0276842 ("Zhang"). Claims 8-

15 and 31 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Qvist and Zhang, and further in view of Edgren, et al., U.S. Patent No. 6,245,357 ("Edgren"). Applicants traverse.

Qvist is not prior art to the present application, which has an effective U.S. filing date of June 18, 2004 (its international filing date), and a priority date of June 19, 2003 (when the priority application was filed in Denmark). Qvist has an international filing date of October 8, 2004, which is well after the present application's priority date of June 19, 2003 (as well as its effective filing date of June 18, 2004).

Therefore, Qvist is not prior art to the present application. While Applicants do not concede that the Examiner has made out a *prima facie* case of unpatentability using Qvist, Qvist is integral to the present rejections under 35 U.S.C. § 103(a). Hence, without the benefit of Qvist, these rejections are untenable and should be withdrawn.